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EXAMINER	
FOX, JAMAL A	

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/681,677	MATTESON ET AL.	
	Examiner	Art Unit	
	Jamal A. Fox	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Dobbins et al. (U.S. Patent No. 5,790,546).

Referring to claim 1, Dobbins et al. discloses a method for forming a network including a plurality of communication devices (Fig. 4, Networking Modules 32 and respective portions of the spec.), a wire network (Fig. 1 and respective portions of the spec.) for allowing a plurality of communication transmissions (networking connectivity between modules, col. 13 lines 41-48) between the communications devices, and at least one connectivity device connected to the wire network, said method comprising the steps of: utilizing the connectivity device (repeater module, col. 13 lines 34-41) to regenerate a communication signal such that the distance between the communications device is extended; utilizing the connectivity device (Fig. 6, Router) to route (this is inherent) communication transmissions by the communication devices through the wire network; and communicating, by a central processing unit (Fig. 5 ref. sign 41, Fig. 6 ref. sign CPU, col. 13 lines 54-67, col. 14 lines 17-45, col. 15 lines 50-56, col. 26 lines 64-67 and col. 32 lines 37-67) located within the connectivity device, with a network hub device (bridge or router, col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57)

located within the connectivity device and a network switch (Fig. 5 ref. sign 40 and col. 13 lines 54-67) device located within the connectivity device, wherein the network hub device interconnects the communication devices by bringing segments (paths, col. 4 lines 13-27 and segments, col. 13 lines 48-53) of the wire network together, and the network switch reduces communication collisions (fault tolerance, col. 14 lines 52-56 and Fig. 6, Fault Tolerant Design) by providing communication transmissions from the communications devices with independent paths (separate, col. 14 lines 1-16 and paths, col. 3 lines 59-61 and col. 17 lines 14-17) through the wire network.

Referring to claim 2, Dobbins et al. discloses a method in accordance with claim 1 further comprising the steps of: connecting one of the connectivity devices (Figures 5 and 6 and respective portions of the spec.) to a communications device; and connecting the communications device to the wire network (LAN segment, col. 13 lines 48-53) utilizing the connectivity device (Figures 1, 2 and 3 and respective portions of the spec.).

Referring to claim 3, Dobbins et al. discloses a method in accordance with claim 1 further comprising the step of configuring the network to include at least one of network hub device (bridge or router, col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57), the network switch device (Fig. 5 ref. sign 40 and col. 13 lines 54-67), a network repeater device (repeater module, col. 13 lines 34-41) and a network router device (Fig. 6 ref. sign ROUTER and respective portions of the spec.).

Referring to claim 4, Dobbins et al. discloses a method in accordance with claim 1 further comprising the step of utilizing the connectivity device in a wire network having

a topology of at least one of a daisy-chain configuration (Fig. 1 and respective portions of the spec.), a ring configuration (Token Ring, col. 13 lines 48-53), and a star configuration.

Referring to claim 5, Dobbins et al. discloses a method in accordance with claim 1 further comprising the step of utilizing the connectivity device to enable Single Point of Connect (given port, col. 11 lines 10-15 and Fig. 7B ref. sign 80) capability within the network.

Referring to claim 6, Dobbins et al. discloses a method in accordance with claim 1 further comprising the step of utilizing the connectivity device as at least one of a network fault tolerant device and a network fault tolerant management device (C++ OOP, col. 14 lines 20-25, fault tolerance, col. 14 lines 52-56 and Fig. 6, Fault Tolerant Design).

Referring to claim 7, Dobbins et al. discloses a network system (Fig. 4) comprising: a plurality of communications devices (Fig. 4, Networking Modules 32 and respective portions of the spec.) configured to communicate with each other (networking connectivity between modules, col. 13 lines 41-48); a wire network (Fig. 1 and respective portions of the spec.) configured to interconnect said communications devices and allow a plurality of communication transmissions (transmissions, col. 14 lines 29-34, col. 19 lines 15-22 and col. 23 lines 13-18) between said communication devices; a network connectivity device (Fig. 4, Network Chassis 30) connected to said wire network, said connectivity device configured to: amplify communication transmissions such that the distance between said communications device is extended

(Fig. 4, repeater modules); and route (Fig. 4, router modules) communication transmissions through said wire network; and a central processing unit (Fig. 5 ref. sign 41, Fig. 6 ref. sign CPU, col. 13 lines 54-67, col. 14 lines 17-45, col. 15 lines 50-56, col. 26 lines 64-67 and col. 32 lines 37-67) located within said network connectivity device and configured to communicate with a network hub device (bridge or router, col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57) located within said network connectivity device and a network switch device (Fig. 5 ref. sign 40 and col. 13 lines 54-67) located within said network connectivity device, wherein said network hub device configured to interconnect said communication devices by bringing segments (paths, col. 4 lines 13-27 and segments, col. 13 lines 48-53) of said wire network together, and said network switch device configured to reduce communication collisions (fault tolerance, col. 14 lines 52-56 and Fig. 6, Fault Tolerant Design) by providing communication transmissions from said communications devices with independent paths (separate, col. 14 lines 1-16 and paths, col. 3 lines 59-61 and col. 17 lines 14-17) through said wire network.

Referring to claim 8, Dobbins et al. discloses a system in accordance with claim 7 wherein each said communication device is connected to said wire network (LAN segment, col. 13 lines 48-53 and Figures 1, 2 and 3 and respective portions of the spec.) using of said network connectivity devices (Figures 5 and 6 and respective portions of the spec.).

Referring to claim 9, Dobbins et al. discloses a system in accordance with claim 7 wherein said network system further comprises at least one of the network hub device

(bridge or router, col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57), the network switch device (Fig. 5 ref. sign 40 and col. 13 lines 54-67), a network repeater device (repeater module, col. 13 lines 34-41), and a network router device (Fig. 6 ref. sign ROUTER and respective portions of the spec.).

Referring to claim 10, Dobbins et al. discloses a system in accordance with claim 7 wherein said wire network comprises a means (Bus, Fig. 2 and Fig. 3 and respective portions of the spec.) suitable for carrying data and communication transmissions.

Referring to claim 11, Dobbins et al. discloses a system in accordance with claim 7 wherein said connectivity device configured to operate when said wire network uses a topology of at least one of daisy-chain configuration (Fig. 1 and respective portions of the spec.), a ring configuration (Token Ring, col. 13 lines 48-53), and a star configuration.

Referring to claim 12, Dobbins et al. discloses a system in accordance in with claim 7 wherein said connectivity device further configured to enable SPOC (given port, col. 11 lines 10-15 and Fig. 7B ref. sign 80) capability within said network.

Referring to claim 13, Dobbins et al. discloses a system in accordance with claim 7 wherein said connectivity device further configured to function as at least one of a network fault tolerant device and a network fault management device (C++ OOP, col. 14 lines 20-25, fault tolerance, col. 14 lines 52-56 and Fig. 6, Fault Tolerant Design).

Referring to claim 14, Dobbins et al. discloses a network connectivity device comprising a central processing unit (Fig. 6, CPU) connected to a electronic storage device (Fig. 2, Packet RAM), a hub module (bridge or router, col. 4 lines 13-27, col. 24

lines 30-61 and col. 26 lines 38-57), a switch module (Fig. 5 ref. sign 40 and col. 13 lines 54-67), a repeater module (repeater module, col. 13 lines 34-41) and a router module (Fig. 6, Router), said connectivity device connected to a wire network (Fig. 1 and respective portions of the spec.) interconnecting a plurality of communication devices, said connectivity device configured to: utilize said repeater module (repeater module, col. 13 lines 34-41) to amplify communications transmissions such that the distance between the communications devices is extended (this is inherent); and utilize said router module (Fig. 6, Router) to route (this is inherent) communication transmissions through the wire network, wherein said connectivity device includes a central processing unit (Fig. 5 ref. sign 41, Fig. 6 ref. sign CPU, col. 13 lines 54-67, col. 14 lines 17-45, col. 15 lines 50-56, col. 26 lines 64-67 and col. 32 lines 37-67) configured to communicate with the hub module (bridge or router, col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57) located within the connectivity device and the switch module (Fig. 5 ref. sign 40 and col. 13 lines 54-67) located within the connectivity device, said hub module configured to bring segments (paths, col. 4 lines 13-27 and segments, col. 13 lines 48-53) of the wire network together, and said switch module configured to reduce communication collisions (fault tolerance, col. 14 lines 52-56 and Fig. 6, Fault Tolerant Design) by providing communication transmissions from the communications devices with independent paths (separate, col. 14 lines 1-16 and paths, col. 3 lines 59-61 and col. 17 lines 14-17) through the wire network.

Referring to claim 15, Dobbins et al. discloses a network connectivity device (Fig. 6) in accordance with claim 14 further configured to connect at least one communication device to a wire network (LAN segment, col. 13 lines 48-53).

Referring to claim 16, Dobbins et al. discloses a network connectivity device in accordance with claim 14 further configured to function in a network system comprising at least one of a network hub (Fig. 6 ref. sign 30), a network switch (Fig. 6, Switching and Fig. 5 ref. sign 40 and col. 13 lines 54-67), a network repeater (repeater module, col. 13 lines 34-41), and a network router (Fig. 6, Router).

Referring to claim 17, Dobbins et al. discloses a network connectivity device in accordance with claim 14 further configured to function in a network system having a topology comprising at least one of a daisy-chain configuration, a ring configuration (Token Ring, col. 13 lines 48-53) and a star configuration.

Referring to claim 18, Dobbins et al. discloses a network connectivity device in accordance with claim 14 further configured to be at least one of a network fault tolerant device (C++ OOP, col. 14 lines 20-25 and fault tolerance, col. 14 lines 52-56) and a network fault tolerant management device (management network, col. 14 lines 20-25).

Referring to claim 19, Dobbins et al. discloses a network connectivity device in accordance with claim 14 further configured to enable SPOC (given port, col. 11 lines 10-15 and Fig. 7B ref. sign 80) capabilities with a network system.

Referring to claim 20, Dobbins et al. discloses a network connectivity device in accordance with claim 14 wherein said connectivity device (Fig. 6 and respective portions of the spec.) is a network node utilized in a communications network system

comprising a plurality of communications devices (Fig. 1 and respective portions of the spec.) interconnected by a wire network (LAN segment, col. 13 lines 48-53).

3. Claims 1, 7 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Picazo, Jr. et al. (U.S. Patent No. 6,006,275).

Referring to claim 1, Picazo, Jr. et al. discloses a method for forming a network including a plurality of communication devices, a wire network (Fig. 1 and respective portions of the spec.) for allowing a plurality of communication transmissions between the communications devices, and at least one connectivity device (Fig. 2 ref. signs 140 and 148 and respective portions of the spec.) connected to the wire network, said method comprising the steps of: utilizing the connectivity device to regenerate (repeat and retransmit, col. 1 lines 55-62) a communication signal such that the distance between the communications device is extended; utilizing the connectivity device to route (route, col. 16 lines 25-45, col. 20 lines 20-25 and col. 34 lines 15-20) communication transmissions by the communication devices through the wire network; and communicating, by a central processing unit (Fig. 2, ref. sign 144, Fig. 3 ref. sign 126 and col. 9 lines 29-67) located within the connectivity device, with a network hub device (Fig. 2 ref. sign 140 and col. 9 lines 29-46) located within the connectivity device and a network switch device (Fig. 2 ref. sign 150, Fig. 3 ref. sign 112, col. 9 lines 29-46, col. 10 lines 46-57) located within the connectivity device, wherein the network hub device interconnects the communication devices by bringing (bridge process, col. 9 lines 29-46) segments of the wire network together, and the network switch reduces (cut

down, col. 10 lines 1-8) communication collisions by providing communication transmissions from the communications devices with independent paths through the wire network. ,

Referring to claim 7, Picazo, Jr. et al. discloses a network system comprising: a plurality of communication devices configured to communicate with each other; a wire network (Fig. 1 and respective portions of the spec.) configured to interconnect said communications devices and allow a plurality of communication transmissions between said communication devices; a network connectivity device (Fig. 2 ref. signs 140 and 148 and respective portions of the spec.) connected to said wire network, said connectivity device configured to: amplify (repeat and retransmit, col. 1 lines 55-62) communications transmissions such that the distance between said communications device is extended; and route (route, col. 16 lines 25-45, col. 20 lines 20-25 and col. 34 lines 15-20) communication transmissions through said wire network; and a central processing unit (Fig. 2, ref. sign 144, Fig. 3 ref. sign 126 and col. 9 lines 29-67) located within said network connectivity device and configured to communicate with a network hub device (Fig. 2 ref. sign 140 and col. 9 lines 29-46) located within said network connectivity device and a network switch device (Fig. 2 ref. sign 150, Fig. 3 ref. sign 112, col. 9 lines 29-46, col. 10 lines 46-57) located within said network connectivity device, wherein said network hub device configured to interconnect said communication devices by bringing (bridge process, col. 9 lines 29-46) segments of said wire network together, and said network switch device configured to reduce (cut down, col. 10 lines

1-8) communication collisions by providing communication transmissions from said communications devices with independent paths through said wire network.

Referring to claim 14, Picazo, Jr. et al. discloses a network connectivity device comprising a central processing unit (Fig. 2, ref. sign 144, Fig. 3 ref. sign 126 and col. 9 lines 29-67) connected to a electronic storage device (Fig. 2, ref. sign 146), a hub module, a switch module (Fig. 2 ref. sign 150, Fig. 3 ref. sign 112, col. 9 lines 29-46, col. 10 lines 46-57), a repeater module (repeater, col. 2 lines 54-67, col. 3 lines 52-65, col. 6 lines 65-67 and col. 7 lines 33-44) and a router module (router, col. 7 lines 1-10 and col. 7 lines 30-35), said connectivity device connected to a wire network interconnecting a plurality of communication devices, said connectivity device configured to: utilize said repeater module to amplify (repeat and retransmit, col. 1 lines 55-62) communication transmissions such that the distance between the communications devices is extended; and utilize said router module to route (route, col. 16 lines 25-45, col. 20 lines 20-25 and col. 34 lines 15-20) communications through the wire network, wherein said connectivity device includes a central processing unit (Fig. 2, ref. sign 144, Fig. 3 ref. sign 126 and col. 9 lines 29-67) configured to communicate with said hub module (Fig. 2 ref. sign 140 and col. 9 lines 29-46) located within said connectivity device and said switch module (Fig. 2 ref. sign 150, Fig. 3 ref. sign 112, col. 9 lines 29-46, col. 10 lines 46-57) located within said connectivity device, said hub module configured to bring (bridge process, col. 9 lines 29-46) segments of the wire network together, and said switch module configured to reduce (cut down, col. 10 lines 1-8) communication collisions by providing

communication transmissions from the communications devices with independent paths through the wire network.

Response to Arguments

4. Applicant's arguments filed 2/22/2005 have been fully considered but they are not persuasive. Applicant argued that Dobbins et al. does not describe or suggest a network system or network connectivity device that includes a central processing unit configured to communicate with the hub module located within the connectivity device and the switch module located within the connectivity device, the hub module configured to bring segments of the wire network together, and the switch module configured to reduce communication collisions by providing communication transmissions from the communications devices with independent paths through the wire network. However, one skilled in the art would recognize that a CPU is disclosed in (Fig. 5 ref. sign 41, Fig. 6 ref. sign CPU, col. 13 lines 54-67, col. 14 lines 17-45, col. 15 lines 50-56, col. 26 lines 64-67 and col. 32 lines 37-67). A switch module is disclosed in (Fig. 5 ref. sign 40 and col. 13 lines 54-67). A hub module is a bridge or router that is disclosed in (col. 4 lines 13-27, col. 24 lines 30-61 and col. 26 lines 38-57).

Applicant argued that Picazo, Jr. et al. does not describe or a network connectivity device that includes a central processing unit configured to communicate with the hub module located within the connectivity device, the hub module configured to bring segments of the wire network together, and the switch module configured to reduce communication collisions by providing communication transmissions from the

communications devices with independent paths through the wire network. However, one skilled in the would recognize that a CPU is disclosed in (Fig. 2, ref. sign 144, Fig. 3 ref. sign 126 and col. 9 lines 29-67). A switch module is disclosed in (Fig. 2 ref. sign 150, Fig. 3 ref. sign 112, col. 9 lines 29-46, col. 10 lines 46-57). A hub module is disclosed in (Fig. 2 ref. sign 140 and col. 9 lines 29-46).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamal A. Fox

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER